

## Minutes of the Independence City Commission's June 23, 2016 Meeting.

The Independence City Commission met on June 23, 2016 at 5:30pm in the Veterans Room at Memorial Hall. Mayor Gary Hogsett, Commissioner Leonhard Caflisch, and Commissioner Fred Meier were present. Others present included:

### **City Staff**

Micky Webb, City Manager  
Jeff Gettler, City Attorney  
Kelly Passauer, Assistant City Manager  
Jennifer Rutledge, Director of Finance/City Clerk  
Jerry Harrison, Police Chief  
Dave Cowan, Public Safety Director  
Terry Lybarger, Director of Utilities

### **Visitors**

|                    |                  |
|--------------------|------------------|
| Larry McHugh       | Louis Ysusi      |
| Daniel Turr        | Judy Ysusi       |
| Don Cushing        | Brant Hager      |
| Gayle Holum        | Liz Hager        |
| Charlotte Caflisch | Philip Whitehead |
| Gary Morrison      |                  |

### **Call to Order**

The meeting was called to order by Mayor Gary Hogsett.

### **Pledge of Allegiance to the United States of America**

### **Appointments**

#### **Library Board of Trustees – 1 Resignation**

Applications attached were received from Mark Coder, Jana Shaver and Lynn Reddy for one vacant position on the Library Board of Trustees.

#### **Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Meier, the commission appointed Jana Shaver to the Library Board of Trustees.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

#### **Park Board – 3 Terms Expire 07/01/2016**

Applications attached were received from Alex Moore, Jack Reddick, Molly Brown Reynolds, Rita Ortolani and Val DeFever for three positions expiring on July 1, 2016 on the Park Board.

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Meier, the commission appointed Val Defever, Molly Reynolds, and Jack Reddick to the Park Board.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

**Adoption of the Consent Agenda**

a. Appropriations

1. A-1769

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Caflisch, the commission approved A-1769 for \$468,485.52.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

2. P-1732

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Caflisch, the commission approved P-1732 for \$126,414.34.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

b. Consider approving the minutes of the June 14, 2016 Commission meetings [CITIZENS].

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Caflisch, the commission approved the minutes of the June 14, 2016 Commission meeting.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

c. Consider a request from FORPAZ to hold a fund raiser at Logan Fountain on Saturday, September 10, 2016 [CITIZENS/QUALITY OF LIFE SYSTEM].

Beth Chaney, representing FORPAZ has requested utilization of the fountain area on September 10, 2016 to hold a fund raiser. City staff recommends approval.

**This item was moved to Items for Commission Action.**

- d. Consider adopting pay resolution as budgeted [CITY EMPLOYEES].

The 2016 budget included funds for a 2% pay increase for all City employees effective mid-year rather than effective for the entire year as in past years. The attached pay resolution will go into effect June 26, 2016, however, employees will not receive the increase until their July 15, 2016 pay check. City staff recommends approval.

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Caflisch, the commission adopted resolution 2016-035.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

- e. Consider authorizing submittal of a TBRA grant [CITIZENS].

The Housing Authority requests authorization to submit the annual Tenant Based Rental Assistance (TBRA) Grant. City staff recommends approval.

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Caflisch, the commission authorized submission of a TBRA grant.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

**Items Requiring Commission Action**

- f. Consider a request from FORPAZ to hold a fund raiser at Logan Fountain on Saturday, September 10, 2016 [CITIZENS/QUALITY OF LIFE SYSTEM].

Beth Chaney, representing FORPAZ has requested utilization of the fountain area on September 10, 2016 to hold a fund raiser. City staff recommends approval

**Motion:**

**On the motion of Commissioner Meier, seconded by Mayor Hogsett, the commission authorized the request for FORPAZ pending the City Attorney's approval to serve alcohol.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

- g. Public Hearings to consider condemnation as dangerous and unsafe of the following structures [CITIZENS]:

1. 223 W. Main

**The Mayor opened the public hearing.**

**The Public Safety Director reported on the condition of the building.**

**Liz Hager addressed let the Commission know that she and her husband own Hager's Market next door and are concerned about the plans for this building.**

**Philip Whitehead, the owner, said that Commissioner Caflisch contacted him and he is now working with a contractor. It was also indicated to him that there is grant money available to repair his property.**

**Lisa Richard addressed the Commission regarding the historical value of the building. This building is the western-most building defining the downtown historic district.**

**April Nutt told the commission that the grant program is in the process of being created and is not yet ready to administer grants.**

**The Mayor closed the public hearing.**

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Meier, the commission adjourned the hearing for 90 days.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

2. 508 S. 16<sup>th</sup>

**The Mayor opened the public hearing.**

**The Building Inspector explained that the house would not pass an HQS inspection.**

**After no comments from the public, the Mayor closed the public hearing.**

**Motion:**

**On the motion of Commissioner Meier, seconded by Mayor Hogsett, the commission adopted resolution 2016-027 condemning 508 S 16<sup>th</sup> as dangerous and unsafe, allowing the owner 30 days to commence repair or removal.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

3. 804 W. Main

**The Mayor opened the public hearing.**

**The Building Inspector explained his concerns about this house. After no comments from the public, the Mayor closed the public hearing.**

**Motion:**

**On the motion of Commissioner Meier, seconded by Mayor Hogsett, the commission adopted resolution 2016-028 condemning 804 W. Main as dangerous and unsafe, allowing the owner 30 days to commence repair or removal.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

**4. 321 S. 14<sup>th</sup>**

**The Mayor opened the public hearing.**

**The Building Inspector explained that the condition of the property is very unsafe.**

**After no comments from the public, the Mayor closed the public hearing.**

**Motion:**

**On the motion of Commissioner Meier, seconded by Mayor Hogsett, the commission adopted resolution 2016-029 condemning 321 S 14th as dangerous and unsafe, allowing the owner 30 days to commence repair or removal.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

**5. 504 S. 18<sup>th</sup>**

**The Mayor opened the public hearing.**

**The Building Inspector explained that this house failed the HQS inspection.**

**After no comments from the public, the Mayor closed the public hearing.**

**Motion:**

**On the motion of Commissioner Meier, seconded by Mayor Hogsett, the commission adopted resolution 2016-030 condemning 504 S 18th as dangerous and unsafe, allowing the owner 30 days to commence repair or removal.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

**6. 505 S. 2<sup>nd</sup>**

**The Mayor opened the public hearing.**

**The Building Inspector explained his concerns about this house.**

**The Assistant City Manager read a letter received from a neighbor regarding this property.**

**After no comments from the public, the Mayor closed the public hearing.**

**Motion:**

**On the motion of Commissioner Meier, seconded by Mayor Hogsett, the commission adopted resolution 2016-031 condemning 505 S. 2nd as dangerous and unsafe, allowing the owner 30 days to commence repair or removal.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

**h. Consider rescinding condemnation action for 219 S. Park Blvd [CITIZENS].**

Attached is an HQS report which indicates that the structure at 219 S. Park has passed an HQS inspection and condemnation proceedings may be rescinded. Staff recommends adopting a resolution rescinding condemnation of this structure.

**Motion:**

**On the joyful motion of Commissioner Meier, seconded by Mayor Hogsett, the commission adopted resolution 2016-032 rescinding condemnation action for 219 S. Park.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

**i. Consider setting the date of August 25, 2016 at 5:30 PM for public hearings to consider condemnation of the following properties [CITIZENS]:**

1. 316 E. Cedar

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Meier, the commission adopted resolution 2016-025 setting the date of August 25<sup>th</sup>, 2016 at 5:30pm for a public hearing to consider 316 E. Cedar as dangerous and unsafe.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

2. 712 E. Maple

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Meier, the commission adopted resolution 2016-025 setting the date of August 25<sup>th</sup>, 2016 at 5:30pm for a public hearing to consider 712 E. Maple as dangerous and unsafe.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

3. 524 N. Penn, Apartment 114

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Meier, the commission adopted resolution 2016-025 setting the date of August 25<sup>th</sup>, 2016 at 5:30pm for a public hearing to consider 524 N Penn, Apartment 114 as dangerous and unsafe.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

4. 1309 W. Cottonwood

**Motion:**

**On the motion of Commissioner Caflisch, seconded by Mayor Hogsett, the commission authorized City staff to work with the City Attorney to come back with the correct procedure to legally declare 1309 W Cottonwood as an imminent danger for immediate removal.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

5. 729 S. 4<sup>th</sup>

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Meier, the commission adopted resolution 2016-025 setting the date of August**

**25<sup>th</sup>, 2016 at 5:30pm for a public hearing to consider 729 S. 4th as dangerous and unsafe.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

City staff will review the condition of the above listed properties and make recommendations regarding condemnation as dangerous and unsafe. If the Commission wishes to proceed on any or all of the properties listed, then it is recommended to set the date of August 25, 2016 at 5:30 PM for such public hearings.

- j. Consider reviewing the condition of the following previously condemned structures [CITIZENS]:
  1. 200 S. 9<sup>th</sup> - **owner has met his timeline, this property will be reviewed in 60 days.**
  2. 121 S. 10<sup>th</sup>/400 W. Maple - **the owner has agreed to a 60 day timeline, at which point the property will be brought back to the Commission for review.**

Attached are HQS inspection reports performed on the above listed properties. Housing and City staff will be available to answer questions.

- k. Consider authorizing City staff to negotiate a contract for a water/sewer utility rate study [CITIZENS].

Attached are two proposals to perform a utility rate study as follows:

- Lochner in the amount of \$11,839 for water and sewer utilities.
- PEC in the amount of \$41,500 (\$22,500 for a water system rate study and \$19,000 for a sewer system rate study)

City staff will review the proposals received with the Commission and request authorization to work with one of the firms to negotiate a contract for a water/sewer utility rate study.

- l. Consider an ordinance and resolution relating to issuance of general obligation bonds:
  1. Consider an ordinance authorizing and providing for the issuance of general obligation bonds, Series 2016-A, of the City of Independence, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto [OTHER GOVERNMENTAL ENTITIES].

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Meier, the commission adopted Ordinance 4224 authorizing and providing for the issuance of general obligation bonds, series 2016-A, of the City of Independence, Kansas.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

1. Consider a resolution prescribing the form and details of and authorizing and directing the sale and delivery of general obligation refunding bond, Series 2016-A, of the City of Independence, Kansas, previously authorized by Ordinance No. 4223 of the issuer; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith. [OTHER GOVERNMENTAL ENTITIES].

Attached are the documents provided by bond counsel at the time of this memo.

**Motion:**

**On the motion of Commissioner Caflisch, seconded by Mayor Hogsett, the commission adopted Resolution 2016-034 prescribing the form and details of and authorizing and directing the sale and delivery of general obligation refunding bond, Series 2016-A, of the City of Independence, KS.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

- m. Consider authorizing the Mayor to sign Contract Amendment Request #3 for a 3 month extension on the CDBG Phase III Curb Ramp Project [CITIZENS/QUALITY OF LIFE SYSTEM].

Attached is a contract amendment requesting a three month extension to complete the CDBG Phase III Curb Ramp Project. As the Commission may recall the Commission approved at their May 26, 2016 meeting submittal of a three month extension request, however, only one month was granted. Susan Galemore is requesting that the City submit another request for a three month extension as the project will not be completed by June 26, 2016. City staff recommends approval.

**Motion:**

**On the motion of Mayor Hogsett, seconded by Commissioner Meier, the commission authorized the Mayor to sign Contract Amendment Request #3 for a 3 month extension on the CDBG Phase III Curb Ramp Project.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

- n. Consider authorizing a change order for the 2014 Sidewalk and Ramp Project for a net decrease of \$27,807.27 [CITIZENS/QUALITY OF LIFE SYSTEM].

The City received a change order request decreasing the contract value from \$775,286.90 to \$747,479.63 due to balancing of line items and liquidated damages. City staff recommends approval.

**Motion:**

**On the motion of Commissioner Meier, seconded by Mayor Hogsett, the commission authorized a change order for the 2014 Sidewalk and Ramp project for a new decrease of \$27,807.27.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

**Reports**

- The City Clerk reported that City Hall had been struck by lightning on June 12<sup>th</sup>. City Staff has been identifying and repairing issues as they arise, but currently we are in the range of \$50,000 to \$60,000 in known damages with a \$5,000 deductible. Multiple desktop computers, the fingerprint machine, the voicemail system, and other systems in City Hall have been affected.

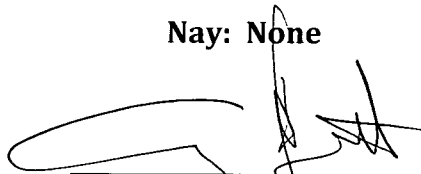

**Adjournment**

**Motion:**

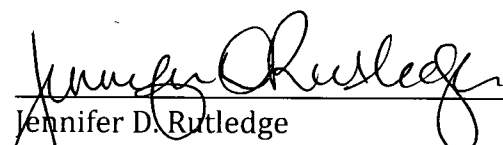
**On the motion of Commissioner Meier, seconded by Commissioner Caflisch, the commission adjourned the meeting.**

**Aye: Caflisch, Meier, Hogsett**

**Nay: None**

  
\_\_\_\_\_  
Gary Hogsett, Mayor  
\_\_\_\_\_  
Leonhard Caflisch, Commissioner  
\_\_\_\_\_  
Fred Meier, Commissioner

Attest:

  
\_\_\_\_\_  
Jennifer D. Rutledge  
Director of Finance/City Clerk

# Attendance Sheet

## Independence City Commission Meeting

June 23, 2016

PLEASE PRINT

| Name                 | Address                |
|----------------------|------------------------|
| 1 Jerry Doight       | 201 S 13 <sup>th</sup> |
| 2 DANIEL Turner      | 102 S 15 <sup>th</sup> |
| 3 Don Wstabin        |                        |
| 4 Gayle Spolun       | 3105 Regency           |
| 5 Charlotte Caplice  | 600 S. 5 <sup>th</sup> |
| 6 Gary Morrison      | 2800 Terra Vista       |
| 7 Louis + Judy Ysusi | 1109 N 9 <sup>th</sup> |
| 8 Brant + Liz Hage   | 221 W. Main            |
| 9                    |                        |
| 10                   |                        |
| 11                   |                        |
| 12                   |                        |
| 13                   |                        |
| 14                   |                        |
| 15                   |                        |
| 16                   |                        |
| 17                   |                        |
| 18                   |                        |

①

## Request to Address the City Commission



Item # 1.

Name: Lisa Richard

Agenda item you wish to address: Letter: \_\_\_\_; or

Public concern you wish to address: 223 West Main

Prior to the start of the meeting, please hand this form to the City Clerk

When the Mayor calls on you, please state your name and direct your comments to the Commission. Your comments should be limited to a maximum of 3 minutes.

No \_\_\_\_\_

2

## Request to Address the City Commission



Name: Brant & Liz Hager

Agenda item you wish to address: Letter: \_\_\_\_\_; or

Public concern you wish to address: F1

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Prior to the start of the meeting, please hand this form to the City Clerk

When the Mayor calls on you, please state your name and direct your comments to the Commission. Your comments should be limited to a maximum of 3 minutes.

No \_\_\_\_\_